

PUBLIC HEALTH REPORT

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Recent Health Legislation

THE 1968 REGULAR SESSION of the State Legislature acted on a number of public health and medical bills. Summarized, here are a few of them of interest to physicians:

Three measures relate to **medical services to minors**.

Perhaps the most significant of these is Assembly Bill 656 (Sec. 34.7, Civil Code) which permits a minor 12 years of age or older who may have had contact with a reportable communicable disease to give consent for hospital, medical or surgical care related to the condition.

This statute will help to control venereal diseases, since a significant proportion of these infections occur in minors. The statute facilitates speedy treatment when parental consent cannot be readily obtained.

Assembly Bill 334 (Sec. 34.6, Civil Code) permits minors 15 years of age or older, who live apart from their parents or guardians and who are managing their own financial affairs, to give consent for medical, surgical, hospital and dental care, including x-ray and anesthesia.

Senate Bill 1245 (Sec. 25.5, Civil Code) allows a minor 18 years of age or older to consent to be a blood donor and allow penetration of tissue necessary for blood collection.

There was considerable legislative activity on drugs during the last session.

AB 194 amends Sec. 11655 of the Health and Safety Code to set up procedures making marijuana more readily obtainable for research.

AB 195 gives a sum of money to the University of California to study the effects of marijuana.

AB 196 (Sec. 11395 of the Health and Safety Code) clarifies the law requiring physicians to report treatment of patients for narcotics addiction.

AB 979 (Sec. 11333, Health and Safety Code) sets up procedures by which "seized narcotics" may be made available to qualified persons for research.

AB 1764 amends Sec. 11166.12 of the Health and Safety Code to exempt dihydrocodeine when combined with other active non-narcotic ingredients from the triplicate prescription requirement.

SB 1268 amends several sections of the Health and Safety Code relating to the category of "restricted dangerous drugs" having a potential for abuse. The law establishes a Research Advisory Panel on **hallucinogenic drugs**. It also establishes procedures by which qualified persons may obtain such drugs for research under specified conditions and it continues to forbid possession of or furnishing by prescription of LSD and DMT.

A proposed law, AB 1308, would have made it mandatory for the pharmacist to label a prescribed drug for the patient's information, unless the physician specifically asked the pharmacist not to do so. The bill was not passed, but was referred to the Board of Pharmacy, which will consider adopting such a requirement as a regulation.

The Board of Pharmacy and the Board of Medical Examiners have clarified the ruling that only a physician may prescribe for a patient. A nurse may not transmit a prescription either to patient or to pharmacist. Careful observation of this law may help to solve the serious problem of **forged prescriptions**.

Assembly Bill 137 amends Sections 11110 and 11161.5 of the Penal Code in several details. Physicians will recall that this "**battered child**" statute requires physicians and surgeons, including residents and interns, to report physical injuries which appear to have been inflicted on a minor by other than accidental means. The amendments assure that the physician will not incur any civil or criminal liability as a consequence of reporting.

AB 859 exempts physicians, among others, from civil or criminal liability as a result of "proper administering of a blood test" for **alcohol determination** when it is requested in writing by a peace officer.

SB 912 (Sec. 651.2, Business and Professions Code) makes it unlawful for any person licensed under provisions relating to the healing arts, to advertise that he will furnish any commodity or service free in connection with his professional practice or business.

AB 1413 allocates to the State Department of Public Health a sum of money to establish and maintain a three-year pilot program for diagnosis and treatment of children suffering from **hyaline membrane disease**.